

provision of this bill is something called collateral source disclosure. The gentleman from Texas, just a few minutes ago, was talking about economic awards, and if a person needs some additional surgery or they need additional testing to make them whole because of some injury, then there is compensation for that. As an example, lost income, lost wages because an individual cannot work. But suppose that plaintiff has a disability income policy that covers 90 percent of their income for the rest of their life if they remain disabled. Suppose that person has the best first dollar health insurance policy that money can buy that covers any additional medical expense and rehabilitation expense, such as durable medical equipment, power wheelchairs, or whatever. Then that needs to be disclosed to the jury so that we do not have this situation, Madam Speaker, of what I consider double dipping.

It is a fairness issue. And as we said at the outset, that is all we are talking about. We want to make sure that those that are injured get justly compensated, but we do not want, as my colleague from Texas said, this civil justice system to become a lottery in the minds of individuals. Because that is where we get to the situation where indeed it is easier to sue your doctor than to see your doctor. And I yield back to the gentleman from Texas.

Mr. CARTER. Madam Speaker, I thank the gentleman for yielding and for his comments. What we are talking about tonight is a climate that has developed over a long period of time in our court system. It is a climate which was never designed or anticipated by the founders of our Nation; that our courts would become a weapon to batter someone into submission; that our courts would become a tool of business; that our courts would become a slot machine where individuals could pull the handle and receive big benefits.

I love our court system, and I think our court system has the potential to be fair, impartial, and to resolve grievances for every American citizen. I think the court system works hard to see that it does just that. But there are issues and attitudes of the American people that we can only change by redirecting the thought pattern of "I am going to get rich on this lawsuit," rather than the fairer thought process of "I am going to recover for how I was damaged and how I suffered." That is what we are looking here for.

I think that every American is looking to his or her government to be treated fairly. I think it is our responsibility here as Members of Congress to try to do everything we can to make sure that all who appear in the courts get fair justice.

So I thank the Chair for being willing to listen to us tonight and to hear our discussion about lawsuit abuse and in particular medical malpractice, and I urge my colleagues on both sides of the aisle to stand up and be counted by casting their vote for fairness. I also

urge our colleagues in the other body to address this issue and cast their vote for fairness in the American justice system. If we instigate and create fairness, we will have done the will of the framers and the will of the American people.

### 30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mrs. SCHMIDT). Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the minority leader.

Mr. MEEK of Florida. Madam Speaker, once again it is an honor to come before the House. We would also like to thank the Democratic leader for allowing us to come to the floor.

We usually have a 30-something Working Group, which has now picked up on many new purposes, and tonight, once again, we have the opportunity to come to the floor on behalf of the American people, to inform the Members, and to make the process better. With us tonight we have the gentleman from New Jersey (Mr. PALLONE), who is an outstanding Member of this body, and I am also joined by the gentleman from Ohio (Mr. RYAN), and I know others will be coming.

I just want to say that usually we deal with issues that are facing young people, but today there are a number of issues that are facing Americans in general and I am very, very concerned about not only what is going on here in Washington, D.C. but also what is not going on, and I think it is important to talk about those issues in this democracy that so many Americans have lost their lives for, that so many Americans have lost limbs and their mobility to allow us to come to this floor to represent them and represent everyday Americans.

Madam Speaker, we talked last week about the issue of the independent commission, and I think it is important that we look at this independent commission and look into what happened not only with regard to Hurricane Katrina but Hurricane Rita. I strongly believe that we can do a lot more than what we are doing right now.

I know there is a committee that is looking into this effort, but it is not a bipartisan committee. And once again I want to go on the record commending the Democratic leader for not making appointments to that committee, and I will discuss the reasons why later. I think also tonight we will talk about what is happening here in Washington, D.C., or what is not happening here in Washington, D.C., and I think we will help crystallize this not only for the Members but also for the American people.

Mr. Speaker, I took the opportunity to go on to the White House Web site.

Mr. MEEK. Mr. Speaker, I ask unanimous consent to submit for the RECORD the information I will be referring to regarding the White House Web site.

The SPEAKER pro tempore (Mr. CARTER). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MEEK of Florida. Mr. Speaker, I know the President put forth a task force with his homeland security adviser as the head of it. He mentioned this in an announcement, and I assumed that it would be something where this task force would actually have some findings which would come back to not only the Congress but to the American people. So I checked out the White House Web site, at WhiteHouse.gov, if any of the Members in their offices want to go on to that Web site to find out what is there and what is not there.

This is actually the front page of the Web site. It has a lot of things on here. It talks about what the President is doing, about press briefings, and a number of other things, such as the war on terror. There is a little box down here that says Hurricane Relief Efforts. You click on that and then move over to this particular page here.

□ 2245

Madam Speaker, it goes on. The President is hugging emergency management personnel in Texas. That is fine. We want to commend those Americans who are doing what they are supposed to be doing. It talks about a number of things, speeches in the news, Federal Government Hurricane Rita preparedness. It goes on further down the page, which is the first page if you are looking at it on the computer, President Bush declares a state of emergency for the States of Louisiana and Texas. It goes on and talks about his major speeches.

Madam Speaker, the point is that the President mentions nothing about this review, what went wrong, where it went wrong, and why it went wrong. We know that hurricanes and natural disasters are acts of God; but we also know in the case of Hurricane Katrina, and I can tell Members there are some who came to the Capitol today saying that in the case of Hurricane Rita, and we will be voting on the energy bill tomorrow, one Member said it is the worst bill we have seen in 7 months, and I can tell Members there are some real issues that are going on in that bill that we will talk about a little later.

Madam Speaker, I think it is important that the American people understand that I believe we are not taking this issue seriously. The 9/11 Commission came out saying that many of their recommendations were not enacted, such as interoperability to allow emergency workers to talk to one another. We had Coast Guard people who could not talk to the 82nd Airborne. We had local police officers who could not talk to one another because we did not do what we were supposed to do years after 9/11.

I can tell Members, the number of Democratic amendments to come up

with intraoperability to make sure that emergency workers can talk to one another was voted down on a party-line basis. I want to make sure that everybody understands what is not going on here in Washington. This is not only national security; it is responding to the Federal taxpayer in the way that they deserve, the State, local and Federal response. But we will never know because this Congress would not allow an independent commission to take place.

Madam Speaker, I yield to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Madam Speaker, I appreciate the words of the gentleman from Florida (Mr. MEEK). I think we need to be absolutely clear that after all this time when we are talking about the committee that passed out of this House, this is a committee, 11 to 9, Republicans 11, Democrats 9; and what we are arguing from our side of the aisle, why not have an independent commission like for 9/11. That was a commission that worked, that solved problems, and that was bipartisan. Why would we not want that to happen again. We have seen time and time again, over the past 5 years in particular, when there was no check on the Republican power in the House and the Senate, that time and time again we have been getting bad information from the leadership here in the House of Representatives, the Republican leadership. We have been getting bad information. If you want to talk about the war, bad information. Why would we want the Republican majority in Congress to oversee the information and the intelligence and everything else that came from the war. It is the fox guarding the hen house.

And when we talk about the Medicare prescription drug bill, it started out \$400 billion. That is all it is going to cost. Then we find out months later it was \$700 billion. Why would we want the majority party who originally gave us the bad information to then oversee the investigation into the bad information that they gave us in the first place.

After Hurricane Katrina, after one of the great national and natural disasters in the history of the United States of America, decimated FEMA, terrible response on all levels, there is plenty of blame to go around, Federal, State and local, why would we want the party who is in charge to oversee their own investigation.

Give the American people an honest assessment of how things worked and what the mistakes were, because at the end of the day, this is about fixing the problem because that could have been, that very well could have been a biological attack in New Orleans. And the response was terrible. So why would we want the Republican majority to oversee the Republican mistakes and expect at the end of the day that we are going to get an honest assessment. It just does not make any sense.

Madam Speaker, I want to welcome the gentleman from New Jersey (Mr. PALLONE) to the 30-something Group.

Mr. PALLONE. Mr. Speaker, I thank the gentleman from Florida (Mr. MEEK) and the gentleman from Ohio (Mr. RYAN). I forgot when I came down here that this was the 30-something Group. It is going to have to be the 50-something Group in my case. I know you have been down here talking about issues that are important to young people, and of course the issue you are talking about tonight is important to all of us.

I want to say very bluntly that the reason that the Republicans do not want this independent investigation is because of a coverup. Essentially, they want to whitewash what they are doing. We have a whole culture here of corruption and cronyism in D.C. with the Republican Party. I think it has become quite evident to people outside of the Beltway there is a coverup, and they do not want people to know what is going on here.

The most devastating example of this cronyism comes from the faces of the displaced and those left behind in New Orleans in the days following Hurricane Katrina.

There was an editorial in the New York Times, September 26, that kind of sums it up in terms of why they do not want this independent investigation into Hurricane Katrina, and it is called "Faking the Katrina Inquiry."

It says that the White House and Republican-controlled Congress resisting popular support for an independent nonpartisan commission remain determined to run self-serving, bogus investigations. They mention in the editorial the case of David Safavian, who I noticed in today's Washington Post was indicted, and this guy was the White House's top Federal procurement official. He was already enmeshed in the lucrative gulf coast rebuilding plans when he had to resign abruptly to face arrest on charges of obstructing justice and a deepening investigation into lobbyist corruption in Washington.

What the New York Times essentially says at the end of their editorial is there is no way to whitewash a hurricane. A government dominated by one party should be disqualified from investigating itself. Just as President Bush repeatedly fought the creation of the 9/11 Commission until public pressure forced him to yield, so should the public demand that the administration and Congress get real about Hurricane Katrina.

So the point I am trying to make is it is not just the New York Times. Every major editorial I have seen in every paper around the country has said there should be an independent commission because obviously when you have one-party rule, which is what we have here in Washington, they cannot possibly investigate themselves. There has got to be some Democrats, some representatives from the other

side of the aisle so the real face of this cronyism or cultural corruption is unveiled.

If they have nothing to hide, there is no problem with an independent commission. It is because they have something to hide. Every day in the papers there is more and more about government contracts, no-bid contracts, things going to friends of the President and the Vice President. It is this culture of corruption that they are trying to hide. That is why they do not want to do this independent commission.

We have to keep talking about this because it is getting to be more and more obvious every day that there is a coverup, they do not want to show what is going on, the no bids and everything else, that keeps surfacing every day in the media.

Mr. RYAN of Ohio. Madam Speaker, I think it is not only the corruption, and I think all of us here choose that word very carefully. I do not think that is the kind of word you just throw around here, because that is not right. But time after time after time, the White House, the White House, the procurement office, the FBI leaks, what we have here going on in the House, the Senate, we have a whole Martha Stewart scandal going on in the Senate. All of these things add up. At some point you have to use the "C" word because it keeps coming and coming and coming.

But the problem for the American people is that the corruption leads to incompetence and an inability to govern. This side has proven time and time again that they do not know how to govern in the United States of America.

You look at Hurricane Katrina, the economy, education, health care, gas prices, energy, pick a topic. It is incompetence, and they cannot handle the levers of government.

Madam Speaker, I welcome the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Madam Speaker, it is great to see that our ranks are expanding, in more ways than one in the 30-something Group, just a little ribbing to the gentleman from New Jersey (Mr. PALLONE).

We have been talking about this for the last couple of weeks, and it is almost hard to pick a jumping off point when it comes to the culture of corruption and cronyism that goes on here. I am the newest one of us, so I sort of have the freshest look. I was so hopeful when I came here 10 months ago that we would be able to come together in a spirit of bipartisanship and that of all types of investigations, of any investigation, that the investigation of the aftermath of Hurricane Katrina would be one that you would think would be a no-brainer as far as bipartisanship. It has to be similar to the 9/11 independent commission, and it is not just about that we need Democrats and Republicans. It is that we need no partisanship involved in the aftermath of

Hurricane Katrina, the investigation of Hurricane Katrina.

The analogy we have been using on the floor is having a committee in the Congress that is lopsided in terms of partisanship and internal and not independent investigating Hurricane Katrina's aftermath would be like saying that the Enron executives or the Tyco executives should be allowed to investigate themselves and determine what happened and report back to the public or the Federal Government as to what happened.

I think that people would be pretty outraged if we allowed the Enron CEO to handle their own investigation.

Back in 1994, I was serving in the Florida House of Representatives with the gentleman from Florida (Mr. MEEK), and I remember when Mr. Gingrich took the floor repeatedly and pointed then to what he called an arrogance of power. I have to tell Members it did not take them very long to come full circle and be kings of the hill of that arrogance. They have literally defined the word.

We have reached a point now where what they pointed to that they said developed over 40 years, it only took them 10. So they have a much shorter learning curve than some of our predecessors. The cronyism and the corruption has got to stop. We could go through a long list of people hired who were totally unqualified for the positions they were appointed to. And then to add insult to injury, also engaged in corrupt activity during their tenure, one of whom, Mr. Safavian, was just arrested, just indicted, and he was in charge of procurement at the White House.

Mr. MEEK of Florida. Madam Speaker, there are a couple of articles that I want to enter into the CONGRESSIONAL RECORD because I think it is important. I think it is important for us to understand that this is just one day here in Washington, and I think it is important for Members to understand that we are not here at 11 p.m. at night talking about the Pallone, Wasserman Schultz, Ryan Report. This is actually happening. This is what is happening in our democracy. The 107th Congress, 108th Congress, and 109th Congress are going to be held responsible for what has happened with regard to the deficit, what has happened as it relates to a war where they embellished the reason for why we went to war.

□ 2300

We are going to give this to the Clerk and make sure this appears in the CONGRESSIONAL RECORD: "Spy probe widens to cover aides to the White House service." This is as it relates to the outing of CIA agents and sharing information with foreign governments: "CIA Rejects Discipline for 9/11 Failures."

"Goss," who is the CIA Director, "cites fear of hurting the agency." That is also on the front page.

I am just going to go a little further on because this is too much to over-

look and if we do not talk about it here in the Congress, then who will? "Ex-White House Aide Indicted" for lying to Federal investigators. This is serious stuff. It goes on. "GOP Divided Over Range of Severity of Spending Cuts."

I want to yield here for a second as we move along. We were on this floor supplemental after supplemental, borrowing to be able to pay for the war in Iraq. We all want to protect our men and women in uniform. I tell my colleagues I am first in line, and I am pretty sure many of us are. I know the gentleman from Ohio (Mr. RYAN) and I serve on the Committee on Armed Services. This is what we do every day: make sure that our troops are protected. But I can tell my colleagues right now, when it came down to giving money for chasing weapons of mass destruction that were not there, an imminent threat to the United States of America that was not there, but now it is an imminent threat due to the fact that it is the seed of terrorism right now. Individuals are going in there. They are going after Americans, and they are trying to fight against our troops that are there that were originally there for weapons of mass destruction, but that is another point. Now it comes down to making sure that we respond to Americans that have paid their taxes, that many of their children are at war right now either in Afghanistan or Iraq, that now the majority, the Republicans on the majority side, and not all of them, but I will say the individuals that are running the show on the other side, the leadership, they now want to say, well, we have to look at cuts and we have to off-balance some issues. Let us look at this. They are looking at cuts as it relates to things like Head Start, Title I, meals for poor children.

So we want to take from the poor to give to the poor in the light of being a fiscal conservative, and then at the same time, we have got billionaires, billionaires. No one is saying anything about them. No one is saying anything about the tax cuts for billionaires, not middle class tax cuts. There is no discussion on that on the majority side, and I think it is important that we highlight the hypocrisy in democracy.

There are about ten stories here, and I know folks can go to Washingtonpost.com. This is just one paper I picked up this morning. As it relates to the CIA chief, it goes on: On A-11, it talks about Porter Goss, and this is very interesting. The President said that we should have an internal investigation. Why do we need a 9/11 Commission? Okay. The internal investigation took place between Senator GRAHAM over on the other side, head of the Select Committee on Intelligence at that time, and Porter Goss, who is now the Director of the CIA, was head of the House Permanent Select Committee on Intelligence. Part of the charge for that was to look at individuals no matter what level and ask the

Inspector General, and that is the individual that is outside of the CIA autonomy. People are not supposed to be able to reach him and touch him, not supposed to be able to intimidate him.

The Congress passed a bill saying he should investigate this, come back with findings, and if there is a breakdown in management or something that was overlooked, then those, no matter what level, should be held responsible. The Inspector General did his job. He came back with a report, and today or yesterday, the CIA Director, appointed by the President, said, oh, well, we are not going to do anything about that. We are not going to hold those individuals accountable. George Tenet, who was the Director of the CIA at the time of 9/11, also who won the Medal of Freedom from the President, that he will not be held responsible or anybody under him. So the CIA Director said he will see it that that report stays secret even though, Mr. Speaker, Americans lost their lives. And that is the part that gets under my skin. I do not represent New York. The gentleman from New Jersey (Mr. PALLONE) represents some of the victims of 9/11.

Mr. PALLONE. Two hundred died.

Mr. MEEK of Florida. Two hundred died. His constituents died. And how dare the CIA Director or the President or the Congress sit by and watch this happen. All of those lives, firefighters, police officers, individuals who just said, I am going to work today, folks that have lost loved ones, we are going to say, oh, well, we passed legislation, but we are not willing to stand by it.

Mr. Speaker, I am saying this to make a point that this leadership and this administration, and there were Republicans, Democrats, Independents, even individuals who said, I am not voting because I do not care about the political process, there are individuals that died here and this is not dealing with the issue of, oh, well, they are a bunch of Democrats that died and Democrats in the House are concerned about it.

There are a couple more stories here that I know the gentleman is going to talk about, but that is just section A of the Washington Post, and I am not even at the Federal section yet. But I want to make sure to highlight it for the Clerk so they can enter it into the CONGRESSIONAL RECORD. There are couple of other stories that I want to get to, to share with the Members, because I want to make sure that we are all paying attention to what is going on because, when all is said and historians look at the 109th Congress on who was doing what and who stood by and watched it happen, I want to make sure that people know that many of us in this Congress were on the side of saying that we were about doing the right thing, that we wanted to make sure that things happened.

Madam Speaker, I yield to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Madam Speaker, I know that the gentleman could have continued to the Federal page that has a few more articles like this, but I just wanted to highlight one on the Federal page that says, "Choice for Head of Wildlife Agency Provokes Dissent." Some people might say we are now talking about wildlife and fish and we are not talking about people, and I do not want to take away in any way from the comments that the gentleman from Florida made before because he was talking about the 9/11 Commission and the people who died at the World Trade Center. As I said, 200 from my district alone. But it is sort of ironic that this incompetence in terms of the officials that are appointed by the administration extends even to the Fish & Wildlife Agency. And I just want to highlight that. That is on page A25 of today's Washington Post. The gentleman from Florida pointed that out to me because I am the ranking member on the Fisheries and Oceans Subcommittee.

If I could just reference this, this says "This morning, the Senate Environment and Public Works Committee is likely to easily approve the nomination of Dale Hall, a regional director in the U.S. Fish & Wildlife Service, to head the agency, making the full Senate vote a formality." It says, "It's the kind of vote that makes environmentalists cringe. Hall, a 27-year Fish & Wildlife Service veteran, has infuriated wildlife activists, not to mention some of his staff, by not pushing more aggressively to protect threatened and endangered species."

The Members know we just had a vote on that, trying to gut the Endangered Species Act, but that is not even the issue. It says: In May, he told agency biologists they should rely on the genetic science available at the time of a species' listing when deciding whether to recommend new safeguards, even if that science dated back to the 1970s.

And they have some people who worked for him quoted here, saying, "He consistently tries to get the staff to change the science."

This is something that we have all the time with these incompetent people that are appointed to these agencies. They want to change the science. We cannot even rely on the science because they want to change it.

Mr. RYAN of Ohio. If they don't like the science, change the science.

Mr. PALLONE. Madam Speaker, I know that when we heard about Michael Brown, the head of FEMA, and everybody knows how incompetent he was and what he did in the aftermath of the hurricane, basically did nothing, made things even worse, I think people initially thought maybe he is an exception. But what we are finding every day is that this is what this Bush administration does. They are constantly appointing people who are not qualified to their positions.

Mr. RYAN of Ohio. Madam Speaker, will the gentleman yield?

Mr. MEEK of Florida. I yield to the gentleman from Ohio.

Mr. RYAN of Ohio. Madam Speaker, the gentleman is exactly right. They are not qualified. They are ideologues. And I want to share with my colleagues a couple quotes here. They are not competent to hold a position, but yet they hold an ideology that they want to implement. And I want to just share with my colleagues that a gentleman from Heritage Foundation says that conservatives at the Heritage Foundation and elsewhere have advocated regarding Katrina that any recovery package begin with the understanding that the liberal social welfare programs of the last century failed the poor in every imaginable way. He added that the unique circumstances created by Katrina are an unprecedented opportunity to push for radical change.

They want to implement their ideology, and they want to say that the social programs that the Democrats put in over the last 40 years somehow failed. What? Social Security that lifted 50 percent of the seniors out of poverty, Medicare that provided health care for seniors a failure?

Mr. PALLONE. Madam Speaker, if the gentleman will further yield, just quickly all I am saying really is these are decisions about public health and safety. I mean, that is what we found in the aftermath of Katrina. We are talking about public health and safety, people's lives. I just want to have qualified people making decisions about health and safety issues. That is not asking much. And I understand that the gentleman from California (Mr. WAXMAN), who is on my committee, who is the ranking member on the Committee on Government Reform, has actually introduced legislation to require all political appointees holding Federal public safety positions meet minimum requirements of expertise, leadership and achievement. And I think that is crucial. He is one of our leading Democrats, ranking member on the Committee on Government Reform. It just makes sense that if someone is appointed to a position where they are going to be making decisions about public health and safety, they have to have some expertise for that position. So far, the Republicans have been resisting that and are not willing to go along with the gentleman from California's (Mr. WAXMAN) proposal.

Mr. RYAN of Ohio. Save their political appointments for the ambassadorships with a lot of beachfront property. That is where they put their political people. And we understand that happens. Do not put them in charge of FEMA. Do not put them in a position where if they do not like the science, then change the science.

Mr. PALLONE. The Food and Drug Administration.

Mr. RYAN of Ohio. FDA? They have got to be kidding me.

Ms. WASSERMAN SCHULTZ. Madam Speaker, will the gentleman yield?

Mr. MEEK of Florida. I yield to the gentleman from Florida.

Ms. WASSERMAN SCHULTZ. Madam Speaker, what this boils down to is, it is about the three Cs: We have competence, cronyism and corruption. That is what this Chamber has become about. It is a question about their incompetence. There has clearly been corruption, and we have only to list the myriad of people who are in hot water at the executive branch level and, unfortunately, in this Chamber on the other side of the aisle. As much respect as we might have for our colleagues, we have an even greater respect for this institution, and, unfortunately, there are quite a number of people who forget their need to respect this institution.

And if it were not bad enough that we have a laundry list of people now who have been hired as cronies who were unqualified at the executive level for the position that they took on and then later engaged in corrupt activity, on top of that now just yesterday we hear a report that Special Operations forces were taught by individuals who have been determined to be in this country illegally, illegally, and who are now in the process of being deported. We have Special Operations forces who do not even like to acknowledge that they exist being taught foreign language by people who were found to have been in this country illegally, two from Indonesia and one from an African country.

Let us go further because I wish it stopped there. Just yesterday, we found that there is a spy apparently in the White House. I mean, a spy in the White House. I do not know. I am new. I am a freshman, and 9/11 was 4 years ago. I would think that by 2005, as 4 years has passed, the crackdown and effort that the administration and the Republican leadership here has been engaging in it to shore up our homeland security and make sure people feel safer, and security has been the issue. How in God's name do we have illegal immigrants from areas that one might question the motivation of some of the people and why they are here because certainly those nations that these illegal immigrants are from have had al Qaeda representatives come? We cannot make a blanket statement about it, but no question there have been problems with those countries.

Special Operations forces being taught by illegal immigrants and a spy in the White House, and we have cronyism that is running rampant at the executive branch level and ethical problem after ethical problem and indictments in this very institution. My God, if that does not cry out for a new direction and this country to be taken in a new direction, I do not know what does.

I came here and held up my right hand and swore to uphold the Constitution and the integrity of this institution, and I want to underscore the summary that the gentleman from the

State of Illinois (Mr. EMANUEL) said the other day on a news program.

□ 2315

The way he characterized what this institution has become is that the leadership in this institution has taken this institution from the People's House to the auction House, and there is no other way to describe it. That is the bottom line. And it is really sad.

Mr. MEEK of Florida. Madam Speaker, reclaiming my time, as the gentlewoman shows, it is beyond sad. Sad would be if we could not do anything about it, but we can, and the American people can do something about it. I will tell you right now, all that we are talking about here, and I will tell you, because we like to talk about solutions, we also like to point out the problem.

Time after time again, and the gentleman from New Jersey (Mr. PALLONE) is the Member who has been here the longest, from New Jersey, the fact is that Democrat amendments that have gone down on partisan lines to make sure we take care of the kind of oversight that the American people called for. Well, let us just say the Constitution calls for from this body. We have oversight and investigative powers that we are not exercising.

I think it is important, and I just want to make sure that we put on the record, I have asked the Congressional Research Service to go in and pull the number of Congressional subpoenas that went out in the Clinton administration versus the Bush administration.

I will tell you I personally, my chief and staff and others had to call the House Counsel's information to get this information, to allow the Congressional Research Service to go in, and the Congressional Research Service said, "Well, somebody said that it may be political."

No, it is just a history of the House. We did not call the GOP or the Democratic National Committee on this. If subpoenas went out under the Clinton administration, that is a matter of record. What is political about that?

Now, I will tell you, this is not a witch hunt or any kind of hunt you want to call it. It is the truth, and it is the fact that we cannot rely, and that is the reason why we need an independent commission to make sure that not only the act of God, when we watched television, it was the act of a lack of governance. It was an act of cronyism, of the Corps of Engineers stopping work after 37 years on a levee that they knew would be breached. And look, the American taxpayers now have to pick up \$200 billion.

I will yield to the gentleman from Ohio (Mr. RYAN) to talk about his bill, because I think it is important that we get colleagues on the other side to come down and sign on it.

Before we do that, I want to make sure as we move through section A of the Washington Post, I feel that all of this should be enshrined, because I

think it is important within the CONGRESSIONAL RECORD, which it will, that before the historians look at it, that the American people will have an opportunity to look at it and know that they have an option to bring about change in their government.

They deserve better. I am telling you right now, they deserve better. I know they do, and they know they do. This is national security. This is Americans we are talking about.

This is what I could not believe, Madam Speaker. "Pentagon Releases Repayments Rules." Now, we had a big discussion here on this floor about body armor and we went to war saying that we are prepared to go to war.

Well, that is what the generals and the four star guys were telling us in the Committee on Armed Services. "We got it covered, Congressman. Don't ask any questions. Either you are with us or with them. Don't ask us any questions." That is from Mr. Ashcroft over in the Senate, I must add.

Thank God for Senator DODD and many others here in this Congress that fought to make sure that our men and women had the body armor that they needed.

You would have some folks come to the floor and make you believe that they are the leaders on watching out for our men and women. It is not a partisan issue, it is an American issue, the fact we were talking about body armor, and the gentleman from Missouri (Mr. SKELTON), the ranking member on the Committee on Armed Services, I would say some folks on the majority side were concerned about the body armor. Men and women were dying because they did not have what they needed.

Guess what they did? They did what they are supposed to do. Moms, dads, uncles, brothers, sisters alike, sons and daughters, bought their loved one body armor, kevlar, to wear in Iraq and Afghanistan. They did so. Then we passed a bill saying they should be reimbursed, rightfully so, unfortunately after the fact, and some folks died.

The Congress called for, once again, the WashingtonPost.com, you go on and check it out yourself, it goes on, "The guidelines, from Undersecretary of Defense, David S.C. Chu, comes nearly a year after Congress passed legislation ordering," this is not asking, "ordering the Department of Defense to come up with the reimbursement policy. The law required that the Pentagon issue the rules by February 25 of this year." Not 2006, but 2005.

Here we are in October, in October, and because there were threats from Senator DODD and others in this Congress that they will do something drastic legislatively because they did not do it, these are families that still have not been reimbursed. These are Americans. These are Americans. These are not folks in a foreign land.

So when folks start getting upset about what we are talking about here on this floor, I can tell you something,

I am glad that somebody fought for the opportunity for us to raise these issues, because this is beyond belief. Here in the United States, our own people. These are our people.

Now, I am just going to share this with the gentleman from New Jersey (Mr. PALLONE). This is not something as it relates to people saying, "Oh, you are being partisan." No, we are not being partisan. We are telling the truth. We are making sure Members know exactly what they are doing and not doing.

If you are a Member of the majority side and you want to see the kind of change that these men and women deserve, that these men and women deserve to get reimbursed for their body armor, that are financially challenged right now, that are paying too much for gas, that will pay over \$1,000 for heating oil or LP gas, this winter, they need that money. And, guess what? You go on the DOD website, there is no mention of it. There is no mention of the fact where they can go on and find out how they can be reimbursed.

So, we are going to work on that. I tried to find that today. This is on behalf of the entire country.

Mr. PALLONE. Madam Speaker, if the gentleman will yield further, the gentleman did not get into the details because it is almost sickening to read. I just have to read this one thing in the article the gentleman is referencing where it says, "Last week Marine Sergeant Todd Bowers, whose parents bought him a high-tech rifle scope said that the extra piece of equipment saved his life, and that a \$100 pair of goggles he bought saved his eyesight when he was shot by a sniper."

"If you need any proof that the Pentagon is once again coming up short, all you need to do is take a look at the list of reimbursable items, Senator DODD said. It does not include the gun scope that saved Todd Bowers' life."

It is shameful. I could cry, to be honest with you. I am not trying to be dramatic. But to think that the parents had to buy the equipment to save their son's life, and now the administration, Pentagon does not want it to be reimbursable, I just cringe when I read about it, when the gentleman brought this to my attention. It is a shameful thing.

Mr. RYAN of Ohio. Madam Speaker, if the gentleman will yield further, if I may add something, the shame of the whole matter is, it is about priorities. We have time to pass tax cuts through this Chamber that give billionaires and millionaires hundreds of thousands of dollars, billions of dollars for the oil industry, to pass a prescription drug bill that does nothing to contain costs, so it is a billions of dollars in giveaways to the pharmaceutical companies, and then the reality is, that money has to come from somewhere. So this kid does not have goggles and some average American has to go out and buy them.

People say, well, what is the government doing? You know what we are

doing here? You know what the Republican leadership here is doing? They are giving billions of dollars in tax credits and subsidies to the oil industry. That is what they are doing. They are giving Warren Buffett and Bill Gates a tax cut. That is what they are doing.

Here is where we ask for the opportunity to lead the country. Democrats are asking the American people for an opportunity to lead this country, and say if your priority is for that kid to have the goggles he needs, that is the priority of the Democratic Party; in health care and education, that is the priority of the Democratic Party.

We want a chance to govern, because this outfit has dropped the ball.

Mr. MEEK of Florida. As we look at oversight and accountability, will the gentleman please talk about H.R. 3764?

Mr. RYAN of Ohio. This is the Democratic bill that establishes a congressional commission to examine Federal, State and local response to the devastation by Hurricane Katrina. It is an independent commission.

What we are doing, we want to ask the American people and other Members of Congress to support this and become a citizen cosponsor of this bill, at [www.housedemocrats.gov/katrina](http://www.housedemocrats.gov/katrina). This is an opportunity for all Americans to participate in the movement to try to establish an independent commission. Get rid of the partisanship, get rid of the nonsense, let us get some real oversight here.

Mr. MEEK of Florida. Madam Speaker, reclaiming my time, I just want to say that we have a cosponsor form here for H.R. 3764 sitting here on the table. There is my pen. Anyone from the majority side, the Republicans, that want to get down to making sure that this never, ever happens again, that we do not have people dying because they did not have insulin, we do not have emergency responders not able to talk to one another because they do not have interoperability where they can talk to one other to save lives, and where we can save \$200 billion hopefully in the future, because we could have saved New Orleans if we were on our job, our j-o-b, maybe, not maybe, this independent commission will point out, this independent commission, which the gentleman from Ohio (Mr. RYAN) pointed out before, it is a group of individuals that are outside of the Congress, like the 9/11 Commission, that will not be here in Congress to carry on about trying to cover up on behalf of the majority side. So we have this here.

Mr. RYAN of Ohio. If the gentleman will yield further, the reason we want to do this is because the record over the past few years has been simple: Everything that happened, everything that was told to us prior to the war, has not been true. No one has been held responsible for that at all. No oversight. We were told that the prescription drug bill was only going to cost \$400 billion. We find out after it is \$700 billion. No oversight, no one is held re-

sponsible for it. And on and on and on. The budget projections, the economy, gas, energy costs, everything, no oversight, no one is being held responsible, and we think that it is in the best interests of the American people to have an independent commission.

Mr. MEEK of Florida. Madam Speaker, I yield to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Madam Speaker, since the rule for the energy bill tomorrow was just filed, it seems a good place to jump off from, because I really hope that now that tomorrow we are going to be throwing the door, blowing the door wide open to more offshore oil drilling in the United States coastal regions, the gentleman from New Jersey represents the Jersey shore, I represent the eastern coastline, the gentleman represents the eastern coastline. Sorry, the gentleman from Ohio (Mr. RYAN) does not have much of a coastline.

But we have some deep, deep concerns that are going to be dealt with on the floor tomorrow where, for the first time, we are going to have the possibility of drilling much closer to the United States coastline in places that have been subject to a ban and moratoriums.

Given the track record, particularly recently, of competence, cronyism and corruption, I am hopeful that we are not going to see the giveaways that are in this bill tomorrow turn into what we have seen in terms of the three C's in the last several weeks and, quite honestly, in the last several years.

Mr. PALLONE. Madam Speaker, if the gentleman will yield further, I am glad the gentlewoman brought that up. I would say what we are seeing in this energy bill, and this is unfortunate thing, in the same way that Hurricanes Katrina and Rita became an opportunity for corruption and cronyism in the awarding of contracts by the Republicans, we are seeing it is also becoming an excuse to basically waive all environmental regulation, affirmative action, prevailing wage and the list goes on. The waiver of environmental regulations and the effort to basically gut environmental protections is unbelievable.

The gentlewoman mentioned the offshore oil drilling. But one of the other things that affects my State is the Clean Air Act provisions. In other words, in that bill, basically what the President and the Republican leadership have done is taken the opportunity to gut the Clean Air Act.

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They are essentially saying now that if an older plant that does not meet clean air restrictions under the current law wants to expand its capacity, that they can still expand the capacity using the older standards, which would allow a lot more air pollution to pollute the atmosphere.

So whether it is clean water, whether it is clean air, whatever it happens to

be, they are using the hurricane rather than it being an opportunity, as we have suggested, to try to rebuild and give people a new opportunity in life to rebuild their lives, it is being used as an excuse to basically run roughshod over all kinds of existing protections, whether they be affirmative action, environmental protection, whatever.

Again, it is cronyism, because if I can take a power plant and I can expand it and pollute the atmosphere and save money that way, it is just another giveaway, if you will, to their friends, their special interests in the utility business.

Ms. WASSERMAN SCHULTZ. Madam Speaker, tomorrow they will be trying to create the mythology for the American people that this is going to do something to reduce gas prices.

Mr. PALLONE. And it will not. There is not anything in it.

Ms. WASSERMAN SCHULTZ. There is not a single item in this bill that will reduce gas prices, not tomorrow, not next Tuesday, not 3 weeks from now will one penny get cut off a gallon of gas as a result of this bill.

What will happen is it will put more money in the pockets of the people who make money off the energy industry; we are going to waive the Clean Air Act provisions; it limits FTC penalties for price gouging; and it is almost completely impossible to increase refining capacity. There is a taxpayer subsidy for oil companies. These are the provisions in this bill. There is a giveaway of Federal lands in this bill. Madam Speaker, it is unbelievable. We just did this 7 weeks ago, and now we are going to give them more. I mean, where does it stop?

We have an alternative, I say to the gentleman from Florida (Mr. MEEK), if the gentleman would like to outline some of the provisions in it.

Mr. MEEK of Florida. Madam Speaker, I want the gentlewoman to do that, but I also want to point out, being on the Committee on Armed Services, some of the other issues that are in this bill. It is very unfortunate. I am not going to be one to talk about the oil companies and special interests and the lobbyists and the K Street project and all of that, because guess what? The American people elected a Congress to protect them from greed, from doing it because we can. And we just passed, the majority did, an energy bill 7 months ago, but they are doing it on the backs of individuals of devastation, communities that are not in place to be able to come to Congress and lobby against this kind of action.

This is what is happening within this bill, I say to my colleagues. We just went through a BRAC process, military base closures. If they close, that means that the government can give this land to oil companies to go in and drill. Local communities have plans for military bases to help their economy, to be able to do the things that they want to do, because it is within their community.



Here is the kicker in this whole thing. There are a number of kickers. You can get kicked to death under this bill. If an oil company was to move in and contaminate or do something to harm the public, if the mayor of that city or county or parish or State were to bring a lawsuit against the oil company, and they were to lose, they would have to pay the oil companies' legal fees. Now, on the other side of the coin, if the local community, parish, county, State was to file a lawsuit against an oil company for not carrying out their environmental duties or whatever the case may be, put their constituents in harm's way, and they were to win, the oil companies, by Federal law, if this passed tomorrow, if the majority has their way, do not have to reimburse the local government for their legal fees.

So here is the U.S. Congress majority that is going to stand on the side of industry to say, we are on your side versus we are on the local mayor, the parish, the county commissioner, or the State government's side, the side of the taxpayers, and that are the individuals who elected us to come to Congress.

Madam Speaker, I warned my friends on the Majority side, I warned them. Because tomorrow we have 5 hours of debate and around 2 or 3 o'clock, we are going to be here on this floor and we are going to see the followers versus the leaders. On this side, we are going to lead because we are going to have an alternative amendment that is not going to have any of that language in there that is going to be able to bring gas prices down, that is going to be able to deal with our issues of conserving energy and things of that nature.

So I think it is important that we realize, and I want to warn the Members, unfortunately, if you keep voting for what they tell you to vote for on the Republican leadership side, you will find yourselves making a career decision, bottom line. Because I think the American people are fed up with this stuff here in Washington, DC. We are trying to do what we can. Someone may say, well, why are you all on the Floor arguing. The gentleman from New Jersey has talked about what Senator DODD has done. The reason why the Department of Defense wrote those rules several months later after the congressional deadline was the fact that a Democrat raised the issue and threatened them, that he will take it to the next level, and that is the reason why they did it. They did not do it because they were supposed to by law or that it was the right thing to do; they did it because they came under pressure.

I am telling my colleagues that we are within our right to put the pressure on, put it on the RECORD, and we will be here every opportunity that these lights are on to talk about what is not happening and what we are trying to do, and the reason why we cannot do it

because we are in the minority. If the Republican Conference betters itself and it starts to get leadership that is going to lead on behalf of the American people, then God bless them, but I can tell my colleagues right now for the last 10 years, that has not happened. It has not happened. That is the reason why. It can be a Republican parish, it can be a Republican mayor, it can be a Republican governor, if you bring suit against this industry, which is what they are bringing to the Floor tomorrow on the Majority side, you are going to find yourself paying legal fees if you are not successful. That is to intimidate local communities for not bringing suit against individuals that violate environmental law. That is what that is about.

Ms. WASSERMAN SCHULTZ. Madam Speaker, if my colleagues do not mind me jumping in here, lest people think that we are just on the Floor here pointing fingers and only being critical, we have our own alternative proposal, the democratic alternative to the energy bill tomorrow.

People might think that we as Members of Congress are somehow different than our constituents. I am just a minivan mom. I do not drive a big old SUV; I drive a mini van. I wish I could drive a car that was smaller, but I have 3 little kids who have to be strapped into a car seat. I have 6-year-old twins and a 2-year-old baby girl and I, like most moms, do not have much of an alternative in terms of making sure I have a car that is safe, that is big enough to haul them and all their soccer stuff and Brownie stuff and baseball stuff, just all their stuff. That is what parents across this country deal with every single day.

Last week and the week before and the week before that, I paid \$45 to \$50 to fill up my tank. Whenever I end up spending \$45 to \$50 on anything, I swallow hard. When you have to do that once a week, there is a problem. We make an okay income as Members of Congress. Think about the people who are struggling paycheck to paycheck.

Tomorrow on this floor, we are going to offer a real alternative to the energy bill. We are going to offer an alternative that puts some bark into the Federal Trade Commission's bite. We are going to give explicit authority to the FTC to define, for the first time, price gouging and what it is and how to penalize for it and make sure that there are factors that can be determined. We are going to make sure that everybody in the supply chain, including home heating fuels, deals with price gouging measures. We are going to make sure that it is not just one end of the chain, the energy chain, but the whole thing. We are going to establish a strategic refinery reserve. Our substitute would increase our Nation's refinery capacity by establishing a strategic refinery reserve.

Madam Speaker, we are taking real steps in our proposed alternative tomorrow which, of course, is not going

to pass because the Republicans much prefer their industry-laden benefits package, which is the best way to describe this bill.

Mr. RYAN of Ohio. Pork.

Ms. WASSERMAN SCHULTZ. Pork. We will substitute any appropriate word. We have to make sure that we provide some real relief to the minivan moms and dads across this country.

Mr. MEEK of Florida. Madam Speaker, we understand the majority has about 10 minutes. We are going to come back another 10 minutes after the Majority side; we will have 10 minutes after that, and I think the gentleman from Ohio (Mr. RYAN) is going to be sponsoring that. We have a couple more minutes and we are going to turn it over to the gentleman from Ohio (Mr. RYAN).

But first, let me just say this real quickly, the articles that we talked about tonight, and this is just one publication. Washingtonpost.com. If you want to figure out how you can be a cosponsor on House bill 3764, that is [housedemocrats.gov/katrina](http://housedemocrats.gov/katrina), you can go on-line and become a cosponsor of that legislation as a citizen to be able to push the drive for us to make sure that Americans never, ever have to go through the lack of response that they have received, and that is for Federal, State and local.

The SPEAKER pro tempore (Mrs. SCHMIDT). The gentleman's time has expired.

Mr. MEEK of Florida. We will give it out next time.

#### CIA REJECTS DISCIPLINE FOR 9/11 FAILURES

GOSS CITES FEAR OF HURTING AGENCY

(By Dafna Linzer and Walter Pincus)

The CIA will not seek to hold any current or former agency officials, including ex-director George J. Tenet, responsible for failures leading up to the Sept. 11, 2001 attacks, CIA Director Porter J. Goss said yesterday, despite a recommendation by the agency's inspector general that he convene an "accountability board" to judge their performance.

Goss's decision, coming, four years after hijackers commandeered four jets and killed nearly 3,000 people, appeared to end possibility that a high-level official will be held responsible for what several investigations found to be significant failures throughout the government. The inspectors general of the departments of State, Justice and Defense completed their own investigations without publicized disciplinary actions taken against anyone.

The CIA's report, which severely criticized actions of senior officers, will remain classified, Goss said in his announcement, which was welcomed by some former officials mentioned in the document but assailed by families of victims of the attacks.

Goss said in his statement that the voluminous report by the CIA Inspector General John L. Helgeson, "unveiled no mysteries," and that making it public would only bring harm to the agency when it is trying to rebuild. Goss said that the report in no way suggest "that any one person or group of people could have prevented 9/11."

"Of the officer named in the report," he said, "about half have retired from the Agency, and those who are still with us are amongst the finest we have."

Goss had supported an internal CIA review in December 2002, while he was chairman of the House intelligence committee. The CIA report, which was mostly completed in February, is the last known government inquiry on the counterterrorism failures ahead of the attacks and has been the most secretive.

It also had the potential to pit Goss against his own agency. Convening a review board could have embarrassed his predecessors and renewed questions over, President Bush's decision to award Tenet the Presidential Medal of Freedom.

I think it is utterly reprehensible for Director Goss to be hinting towards not holding anyone accountable, particularly since he was in an oversight capacity as house chairman and is now in a position to atone for his own failures," said Kristin Breitweiser, whose husband, Ron, was killed at the World Trade Center. "He is either avoiding embarrassment or trying to hide something."

More than a dozen intelligence officials, including Tenet; his former director of operations, James L. Pavitt; and J. Cofer Black, former head of the counterterrorism center, are faulted in the CIA report, said officials who have read the classified findings. Tenet vigorously disputed the findings, arguing that he and his officers had done more than anyone else in the intelligence community to warn about al Qaeda.

The report also names some current undercover operatives working in the counterterrorism center. Officials had said exposing them to public criticism would harm their work and the agency during a time of war.

Tenet had no comment yesterday. Pavitt said he was relieved. "He did what was right for the institution and its people, and for their work," Pavitt said of Goss.

Goss's former congressional colleagues, who have urged that the report be declassified, reacted coolly to his decision to forgo accountability reviews. They said Goss and John D. Negroponte, the director of national intelligence, will be summoned to appear before the Senate intelligence committee to answer questions this month.

"I am concerned to learn of the Director's decision to forego this step in the process," Sen. Pat Roberts, (R-Kan.) said in a statement. "However, I spoke with Director Goss and Negroponte earlier today and they both strongly believe that this is the correct course of action."

The CIA's internal report was done in a response to a recommendation of the House-Senate committee that looked into the attacks. The committee called on the CIA's inspector general to conduct an investigation "to determine whether and to what extent personnel at all levels should be held accountable any omission, commission or failure to meet professional standards" to prevent or disrupt the attacks.

Based on these findings, the CIA director was to take "appropriate disciplinary or other action," with the result to be passed on to the President and the House and Senate intelligence committees.

But Goss declined. He noted that before Sept. 11, when he was chairman of the House intelligence panel, the CIA suffered from cutbacks and reduced budgets. "Stars" were singled out and asked "to take on some tough assignments," he said. "Unfortunately, time and resources were not on their side, despite their best efforts to meet unprecedented challenges."

"Risk is a critical part of the intelligence business. Singling out these individuals would send the wrong message to our junior officers about taking risks—whether it be in operation in the field or being assigned to a hot topic at headquarters," he said.

Citing classified information about intelligence sources and methods, Goss said the report should not be made public.

Rep. Jane Harman (Calif.) the ranking Democrat on the House intelligence panel, said she will work to get some elements declassified and said Goss has a responsibility to "persuade the public that he has dealt fairly with his agency's past mistakes."

#### EX-WHITE HOUSE AIDE INDICTED IN ABRAMOFF CASE

(By Thomas B. Edsall)

David H. Safavian, former chief of White House procurement policy; was indicted yesterday on five counts of lying about his dealings with former Republican lobbyist Jack Abramoff and impeding a Senate investigation of him.

The indictment accuses Safavian, who previously served as former chief of staff for the General Services Administration, of falsely telling GSA officials that Abramoff had no dealings with the agency at a time in 2002, the government alleges, that Abramoff was seeking to obtain use of two GSA properties with Safavian's assistance.

It also accuses Safavian of repeatedly making false statements to investigators about a golf trip he took with Abramoff to Scotland the same year. GSA ethics rules prohibited receiving gifts from anyone seeking an official action by the agency.

Safavian was arrested Sept. 19 on the similar charges, the first criminal allegations levied in the ongoing corruption investigation of Abramoff's activities in Washington. Safavian had resigned as top administrator at the federal procurement office in the White House Office of Management and Budget three days earlier.

The indictment alleges that "from May 16, 2002 until January 2004, Safavian made false statements and obstructed investigations into his relationship with a Washington, D.C., lobbyist," who has been identified as Abramoff. The indictment refers to him only as "Lobbyist A."

Safavian's attorney, Barbara Van Gelder, said the charges are "an attempt to prove guilt by association." She said, "If this case did not involve Mr. Abramoff, the government would never have indicted Mr. Safavian on these charges."

Van Gelder said Safavian "will plead not guilty, and he will request a speedy trial." She added, "We believe that after all the evidence is aired, Mr. Safavian will be acquitted of all charges."

Abramoff has been indicted in Florida on bank fraud charges, and is under investigation in connection with at least \$82 million, he and an associate received from Indian tribes that operate gambling casinos, and for fees from other clients.

Federal investigators are known to be looking at trips to Scotland that Abramoff arranged for members of Congress and others, including former House majority leader Tom DeLay (R-Tex.) and House Administration Committee Chairman Robert W. Ney (R-Ohio) and Ralph Reed, former executive director of the Christian Coalition and now a candidate for lieutenant governor in Georgia.

Safavian, Ney and Reed all went on the 2002 trip to Scotland, which cost an estimated \$100,000.

If convicted, Safavian, who worked as a lobbyist with Abramoff in the 1990s, faces a maximum sentence of five years in prison and a \$250,000 fine on each of the counts.

#### PENTAGON RELEASES REPAYMENT RULES TROOPS WHO BOUGHT PROTECTIVE GEAR NOW MAY REQUEST REIMBURSEMENT

Under pressure from Congress, the Pentagon issued overdue regulations yesterday

for reimbursing troops in Iraq and Afghanistan for body armor and other gear they bought to protect themselves.

The program, which is effective immediately, would allow reimbursement for combat helmets, ballistic eye protection, hydration systems and tactical vests, including a variety of body armor inserts to protect the throat, groin and collar.

The guidelines, from Undersecretary Of Defense David S.C. Chu, come nearly a year after Congress passed legislation ordering the reimbursement policy. That law required the Pentagon to issue the rule by Feb. 25 of this year.

Under the guidelines, reimbursement for each individual item cannot exceed \$1,100, and the items become government property and must be turned over to the Defense Department, unless they are destroyed or no longer usable. The purchase must have been between Sept. 10, 2001, and Aug. 1, 2004, and the soldier must not have been issued equivalent government equipment.

Senators, unhappy with the Pentagon's slow progress, approved an amendment to a defense spending bill yesterday that, would further expand the program. The measure would also take the money decision out of the hands of Defense Secretary Donald H. Rumsfeld and give control to military unit commanders in the field.

Condemning the new program as too little, too late, Sen. Christopher J. Dodd (D-Conn.) said the Pentagon's list is too restrictive and does not include critical safety equipment such as gun scopes, additional Humvee armor and radios.

"The Pentagon's leadership has done everything in its power to stop this measure from being implemented," Dodd said. "Why should they stop now?"

Last week, Marine Sgt. Todd Bowers, whose parents bought him a high-tech rifle scope, said that the extra piece of equipment saved his life, and that a \$100 pair of goggles he bought saved his eyesight when he was shot by a sniper.

"If you need any proof that [the Pentagon] is once again coming up short, all you need to do is take a look at the list of reimbursable items," Dodd said. "It does not include the gun scope that saved Todd Bowers's life."

The chairman of the Senate Armed Services Committee, John W. Warner (R-Va.), urged support for Dodd's amendment. But Warner asked that lawmakers work together to set a new end date for the program, possibly in 2006. The amendment passed by a voice vote.

Pentagon officials have opposed the reimbursement idea, calling it "an unmanageable precedent that will saddle the DOD with an open-ended financial burden."

In his memo, Chu said that the secretaries of the military services may request that other equipment be added to the list.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3893, GASOLINE FOR AMERICA'S SECURITY ACT OF 2005

Mr. LINCOLN DIAZ-BALART of Florida, from the Committee on Rules (during the special order of Mr. MEEK of Florida) submitted a privileged report (Rept. No. 109-245) on the resolution (H. Res. 481) providing for consideration of the bill (H.R. 3893) to expedite the construction of new refining capacity in the United States, to provide reliable and affordable energy for the American people, and for other purposes, which